

Appln. No. 10/786,732  
Amendment dated May 26, 2006  
Reply to office Action of March 22, 2006

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A bottle stopper device for use with a bottle comprising:
  - a cylindrical body formed of a flexible, elastic, resilient material and having a lower portion at a first end, and an upper portion at a second end, a first cylindrical section, and a second cylindrical section;
  - the ~~first cylindrical section~~ lower portion having a length and adapted to be inserted into an opening of a bottle in sealing engagement with the bottle;
  - the ~~second cylindrical section~~ upper portion having a length and disposed adjacent the first cylindrical section for extending above the opening of the bottle when the first cylindrical section is inserted in sealing engagement with the bottle, wherein the upper portion defines a pour opening composed of a plurality of substantially uniformly disposed apertures;
  - an air passageway disposed adjacent to, and extending longitudinally beyond the length of, ~~said first cylindrical section~~ lower portion in a direction away from said ~~second cylindrical section and upper portion~~ along the internal periphery of said cylindrical body, wherein said air passageway is substantially encircled by said plurality of apertures; and
  - a visual indicator disposed on an outer surface of said second cylindrical section for identifying the relative location of said air passageway with respect to said visual indicator.
2. (Original) The device of claim 1 wherein said visual indicator is positioned on the second end and on the ~~second cylindrical section~~ upper portion of said cylindrical body.

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3. (Original) The device of claim 1 wherein said visual indicator comprises a spout.
4. (Original) The device of claim 3 wherein said spout is an anti-drip spout.
5. (Original) The device of claim 3 wherein said spout comprises a mouth having a slope of about 50 degrees relative to said cylindrical body.
6. (Currently Amended) The device of claim 3 wherein said spout has an outermost extent of about 0.10 inches from the ~~second cylindrical section and~~ upper portion.
7. (Original) The device of claim 1 wherein said visual indicator comprises a protuberance.
8. (Original) The device of claim 1 wherein said visual indicator comprises an indentation.
9. (Original) The device of claim 1 wherein said visual indicator comprises a marking having a color different from the color of said cylindrical body.
10. (Original) The device of claim 3 wherein said visual indicator is radially spaced from said air passageway by at least 120°.
11. (Original) The device of claim 10 wherein said visual indicator is radially spaced from said air passageway about 180°.

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12. (Currently Amended) The device of claim 3 wherein the plurality of apertures comprise ~~further comprising~~ a filter disposed within and integrally formed within said cylindrical body, said filter extending across said pour opening.

13. (Original) The device of claim 12 wherein the filter is of the same material as the cylindrical body.

14. (Original) The device of claim 3 further comprising a cap insertable in sealing engagement with the second end of said cylindrical body, said cap having an overlapping longitudinal extent that overlaps with the second end when in sealing engagement therewith, said cap being attached to said cylindrical body, and wherein the spout has a longitudinal extent less than the overlapping longitudinal extent of the cap.

15. (Original) The device of claim 14 wherein a portion of the cap is insertable in the second end of the cylindrical body, further comprising an integral circumferential sealing ring on one of the cap and the cylindrical body and, on the other of the cap and cylindrical body, a circumferential sealing groove complementary to the sealing ring, the spout being located above the circumferential sealing ring and groove.

16. (Original) The device of claim 15 wherein the circumferential sealing ring is on the cap.

17. (Original) The device of claim 14 wherein the cap is integrally attached to said cylindrical body by a flexible strand of material extending from the cylindrical body to the cap at a predetermined location on the circumference of the cylindrical body and radially spaced at least about 120° from the spout.

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18. (Currently Amended) A method of pouring a liquid from a bottle comprising:

inserting a bottle stopper device into a bottle, said bottle stopper comprising:

a cylindrical body formed of a flexible, elastic, resilient material and having a lower portion at a first end, and an upper portion at a second end, a first cylindrical section, and a second cylindrical section;

~~the first cylindrical section~~ lower portion having a length and adapted to be inserted into an opening of a bottle in sealing engagement with the bottle;

~~the second cylindrical section~~ upper portion having a length and disposed adjacent the ~~first cylindrical section~~ lower portion for extending above the opening of the bottle when the ~~first cylindrical section~~ lower portion is inserted in sealing engagement with the bottle and a pour opening composed of a plurality of substantially uniformly disposed apertures;

an air passageway disposed adjacent and extending longitudinally along beyond the length of said ~~first cylindrical section~~ lower portion in a direction away from said ~~second cylindrical section~~ upper portion and along the internal periphery of said cylindrical body, wherein said air passageway is substantially encircled by said plurality of apertures; and

a visual indicator disposed on an outer surface of said ~~second cylindrical section~~ upper portion for identifying the relative location of said air passageway with respect to said visual indicator;

verifying a location on said cylindrical body of said visual indicator and the relative location of said air passageway relative to said visual indicator; and

pouring contents from said bottle such that the air passageway of said bottle stopper device is maintained in a relatively upward facing position.

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19. (Previously Presented) The method according to claim 18 wherein verification includes verifying the visual indicator includes a spout.

20. (Currently Amended) A method for manufacturing a bottle stopper device for use with a bottle comprising:

providing a cylindrical body formed of a flexible, elastic, resilient material and having a lower portion at a first end, and an upper portion at a second end, a first cylindrical section, and a second cylindrical section;

providing the ~~first cylindrical section~~ lower portion with a length and the first cylindrical section adapted to be inserted into an opening of a bottle in sealing engagement with the bottle;

providing the ~~second cylindrical section~~ upper portion with a length and disposing the ~~second cylindrical section~~ upper portion adjacent the ~~first cylindrical section~~ lower portion such that the ~~second cylindrical section~~ upper portion extends above the opening of the bottle when the ~~first cylindrical section~~ lower portion is inserted in sealing engagement with the bottle and below the second end and the upper portion also providing a pour opening composed of a plurality of substantially uniformly disposed apertures;

providing an air passageway disposed adjacent and extending longitudinally along substantially at least the length of said ~~first cylindrical section~~ lower portion and along the internal periphery of said cylindrical body, wherein said air passageway is substantially encircled by said plurality of apertures; and

providing a visual indicator disposed on an outer surface of said ~~second cylindrical section~~ upper portion for identifying the relative location of said air passageway with respect to said visual indicator.

21. (Previously Presented) The method according to claim 20 wherein providing said visual indicator includes providing a spout.